

Section 5-600

Additional Regulations for Specific Uses. The following additional regulations apply to specific uses as set forth below. These regulations are intended to serve as the minimum standards for these uses, and are not intended to be in substitution for other provisions of this ordinance that may apply, or for additional conditions that may be imposed in connection with special exception or rezoning approvals. Unless otherwise specified, the following additional regulations may be modified by Minor Special Exception in accordance with the provisions of Section 6-1300. Modifications may be approved by the Board of Supervisors upon a finding that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, preserve the County's historic or archeological heritage, or otherwise exceed the public purpose of the existing regulation. No modification shall be granted to any of the underlying zoning district regulations.

5-601

Bed and Breakfast Homestay, Bed and Breakfast Inn, Country Inn and Rural Guest-Retreats and Rural Resorts Establishments. No such use shall be established either as the initial use of the subject property or by change of use of the property or by conversion of one such use to another until a sketch plan or site plan, as applicable, for such proposed new use has been approved and the appropriate building permit and applicable Fire Prevention Code permits have been obtained. These establishments may be located in accord with the lists of permitted and special exception uses for the individual zoning districts subject to the following criteria:

(A) Bed and Breakfast Homestay.

(1) Intensity/Character.

- (a) Management. The owner of the premises shall reside on the premise and manage the Bed and Breakfast Homestay.
- (b) Guest Rooms. 1 – 4 guest rooms.
- (c) Lot Size. No minimum lot area.
- (d) Food Service. The Bed and Breakfast Homestay shall not contain restaurant facilities, but may provide food service for overnight guests or private party attendees, only.
- (e) Private Parties.

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(i) Private parties for up to 20 attendees, including overnight guests, may be held daily at the Bed and Breakfast Homestay.

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(i)(ii) Private parties for more than 20 attendees may be held up to 10 times per calendar year and shall require approval of a Building Permit to allow the structure to be used for such private parties and a Zoning Permit for each private party. A Zoning permit shall be applied for at least thirty (30) days in advance of each private party. The Zoning Permit application shall be accompanied by a copy of the approved Building Permit and proof of any necessary approvals from County agencies, such as the Health Department and the Department of Fire, Rescue & Emergency Management Fire Official.

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(iii) Private parties shall not be modified to increase the number of daily private party attendees or the number of private parties per calendar year.

(f) **Hours of Operation.** Hours of operation for private parties shall be limited to 7:00AM to 12:00 midnight.

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(2) Landscaping/Buffering/Screening.

(a) The use shall comply with the landscaping and screening standards of Section 5-653(A) to screen outdoor private party areas, regardless the size of adjacent property. The landscaping and screening requirements of Section 5-653(A) may be waived or modified in whole or in part by the Zoning Administrator in the circumstances listed in Section 5-1409 or under the additional circumstance where the adjacent property owner(s) provides written consent to waive all or a portion of the required landscaping/ buffering/ screening requirements. Section 5-1409.

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(3) Parking.

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(a) General. Parking and loading for a Bed and Breakfast Homestay shall be provided as required by Section 5-1102.

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(4) Exterior Lighting. Exterior lighting for a Bed and Breakfast Homestay shall be subject to Section 5-652(A)(2)-(3) (Exterior Lighting Standards). In addition to the requirements of Section 5-652, the maximum height of pole-mounted exterior lighting shall be 12 feet.

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(5) Noise.

(a) The maximum allowable dB(A) level of impulsive sound emitted from the use, as measured at the property line, shall not exceed 55 dB(A).

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(b) No outdoor music shall be permitted between 11 PM and 10 AM on Friday, Saturday, and any evening preceding a holiday recognized by Loudoun County, and between 10 PM and 10 AM on any other day.

(6) Roads/Access. For any Bed and Breakfast Homestay that is located on a lot which does not have frontage on a publicly maintained road, documentation shall be provided to the Zoning Administrator demonstrating that the private access easement serving such lot may be used to provide access to the establishment.

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(B) **Bed and Breakfast Inn.**

~~(1) The owner or manager shall provide full time management of the establishment at all times when the facility is occupied by guests. The owner or manager may live on the premise.~~

~~(2) The establishment shall not contain restaurant facilities but may provide food service for overnight or other transient guests attending meetings or private parties.~~

~~(3) Weddings, receptions, private parties, meetings and similar activities may be held at the Bed and Breakfast with the maximum number of attendees based on the maximum sleeping capacity of the facility. The hosting of the aforementioned gatherings in excess of the sleeping capacity of the facility may be held up to ten times per~~

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~~calendar year. A minimum of 14 days shall lapse between such gatherings. Written notice shall be provided 30 days in advance of the gathering to the Zoning Administrator. Such notice shall be accompanied by proof of any necessary approvals from County agencies, such as the Health Department and the Fire Department. Additional gatherings may be held in accordance with Section 5-642, Banquet/Event Facility, with the approval of a Minor Special Exception.~~

~~(4) For any establishment that is not located on a state maintained road, a copy of the deed establishing the ingress/egress easement shall be provided to the Zoning Administrator. The deed shall demonstrate that the easement may be used to support the establishment.~~

~~(5) Entrances and exits from the state maintained road shall provide safe ingress and egress from roads, and shall be channeled to prevent unrestricted access to and from the premises.~~

~~(6)~~(1) **Intensity/Character.**

(a) **Management.** The owner or manager of the premises shall provide full-time management at all times when the Bed and Breakfast Inn is occupied by overnight guests or private party attendees. An owner or manager may live on the premises.

~~(a)~~(b) **Guest Rooms.** The number of guest rooms shall not exceed 10.~~minimum lot area shall be as follows:~~

Use	Lot Area (Minimum)	No. of Guest Rooms
Level I - small scale	5 acres	3-7 rooms
Level II - medium scale	10 acres	8-10 rooms

(c) **Lot Area.** The minimum lot area shall be 5 acres.

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(d) **Size of Use.** The floor area ratio shall not exceed 0.04.

(e) **Food Service.** The Bed and Breakfast Inn shall not contain restaurant facilities, but may provide food service for overnight guests or private party attendees, only.

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(f) Private Parties.

(i) Private parties for up to 50 attendees, including overnight guests, may be held daily at the Bed and Breakfast Inn.

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(ii) Private parties for more than 50 attendees, including overnight guests, may be held up to 20 times per calendar year and shall require approval of a Building Permit to allow the structure to be used for such private parties and a Zoning Permit for the private parties. A Zoning permit shall be applied for at least thirty (30) days in advance of each private party, or at least 30 days in advance of the first private party of the calendar year if the dates of all such private parties are listed. The Zoning Permit application shall be accompanied by a copy of the approved Building Permit and proof of any necessary approvals from County agencies, such as the Health Department and the Department of Fire, Rescue & Emergency Management Fire Official.

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~~(iii) Private parties shall not be modified to increase the number of daily private party attendees or the number of private parties per calendar year.~~

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(g) **Hours of Operation.** Hours of operation for private parties shall be limited to 7:00AM to 12:00 midnight.

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(h) Yard Standards.

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(i) Parking shall be setback 40 feet from all lot lines.

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~~(b)~~

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~~(e)(2)~~ **Landscaping/Buffering/Screening.**

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~~(i)(a) The use shall comply with the landscaping and screening standards of Section 5-653(A). Outside private party areas shall be screened with solid~~

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~~fencing.~~ The use shall comply with the landscaping and screening standards of Section 5-653(A) to screen outdoor private party areas, regardless the size of adjacent property. The landscaping and screening requirements of Section 5-653(A) may be waived or modified in whole or in part by the Zoning Administrator ~~in accordance with~~ in the circumstances listed in Section 5-1409 or under the additional circumstance where the adjacent property owner(s) provides written consent to waive all or a portion of the required landscaping/ buffering/ screening requirements. Section 5-1409.

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(ii)(b) ~~Parking areas shall be screened to~~ comply with the landscaping and screening requirements standards of Section 5-653(B).

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(iii)(c) ~~New Driveways~~ driveways providing access to a Bed and Breakfast Inn use shall not be located within a required buffer yard area except as minimally necessary to access the site.

~~(d)~~(3) **Parking.**

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(i)(a) **General.** Parking and loading for a ~~bed and breakfast inn~~ Bed and Breakfast Inn shall be provided as required by Section 5-1102.

(ii) ~~Surface.~~ All parking areas serving the use shall use a dust free surfacing material as provided in the Facilities Standards Manual.

~~(e)~~(4) **Exterior Lighting.** Exterior lighting for a ~~bed and breakfast inn~~ Bed and Breakfast Inn shall be ~~for security purposes only,~~ subject to Section 5-652(A)(1)-(3) (Exterior Lighting Standards). In addition to the requirements of Section 5-652, the maximum height of pole-mounted exterior lighting, outside of parking areas, shall be 12 feet.

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(5) Noise.

(a) The maximum allowable dB(A) level of impulsive sound emitted from the use, as measured at the property line, shall not exceed 55 dB(A).

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- (b) ~~In addition, no~~ No outdoor music outdoor music shall be permitted between 11 ~~pm-PM~~ and 10 ~~am-AM~~ on Friday, Saturday, and any evening preceding a holiday recognized by Loudoun County, and between 10 ~~pm-PM~~ and 10 ~~am-AM~~ on ~~Sunday through Thursday~~ any other day.

(6) Roads/Access.

- (a) The Bed and Breakfast Inn shall comply with the Road Access Standards in Section 5-654.
- (b) For any Bed and Breakfast Inn that is located on a lot which does not have frontage on a publicly maintained road, documentation shall be provided to the Zoning Administrator demonstrating that the private access easement serving such lot may be used to provide access to the establishment.
- (c) There shall be no more than two points of access for the Bed and Breakfast Inn.
- (f)

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- (7) A structure existing prior to January 7, 2003, located within an Historic Site District or Historic and Cultural Conservation District may be used as a Bed ~~&-and~~ Inn and shall be exempt from the minimum lot area, yard and floor area ratio requirements specified above, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003, unless a greater expansion is approved by ~~minor-Minor special-Special exception-Exception~~ pursuant to section 6-1300.

(C) Country Inn.

- (1) ~~The owner or manager shall provide full-time management of the premises at all times when the establishment is occupied by guests.~~
- (2) ~~In addition to guest rooms, the establishment may, by Minor Special Exception, contain a full service restaurant that may provide meal service to guests and the general public. Weddings, receptions, private parties, meetings and similar activities may be held at the Country Inn with the~~

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~~maximum number of attendees based on the maximum sleeping capacity of the facility. The hosting of the aforementioned gatherings in excess of the sleeping capacity of the facility may be held up to ten times per calendar year. A minimum of 14 days shall lapse between such gatherings. Written notice shall be provided 30 days in advance of the gathering to the Zoning Administrator. Such notice shall be accompanied by proof of any necessary approvals from County agencies, such as the Health Department and the Fire Department. Additional gatherings may be held in accordance with Section 5-642, Banquet/Event Facility, with the approval of a Minor Special Exception.~~

- ~~(3) A maximum of 10% of the gross floor area of the Country inn may be comprised of accessory day treatment, spa facilities.~~
- ~~(4) For any establishment that is not located on a state maintained road, a copy of the deed establishing the ingress/egress easement shall be provided to the Zoning Administrator. The deed shall demonstrate that the easement may be used to support the establishment.~~
- ~~(5) Entrances and exits from the state maintained road shall provide safe ingress and egress from roads, and shall be channeled to prevent unrestricted access to and from the premises.~~
- ~~(6) A Country Inn shall have at least four rooms for transient overnight occupancy and provide at least one of the following elements:
 - ~~(a) More than 10 rooms not to exceed 40 rooms for transient overnight occupancy, such facility may include Banquet/Event facilities with a Minor Special Exception in accordance with Section 5-642;~~
 - ~~(b) Full service restaurant facilities may provide meals to guests and the general public. In addition, Banquet/Event facilities may be provided in accordance with Section 5-642 with a Minor Special Exception.~~~~

~~(7)(1)~~ **Intensity/Character.**

(a) **Management.** The owner or manager of the premises shall provide full-time management at all times when the Country Inn is occupied by overnight guests or private party attendees. An owner or manager may live on the premises.

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(b) **Guest Rooms.** 1 – 40 guest rooms.

~~(a)~~(c) **Minimum Lot Area.** The minimum lot area shall be ~~25-20~~ acres.

~~(b)~~(d) **Size of Use.**

(i) The floor area ratio shall not exceed 0.04.

(ii) ~~The~~ Any restaurant and indoor Banquet/Event facilities-Facility(ies) located on the premises-property shall not exceed 49 percent of the total floor area of the country inn Country Inn.

(e) **Food Service.**

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(i) Food service may be provided for overnight guests and private party attendees.

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~~(ii)~~ Full-service restaurant facilities may be provided to the general public in accordance with the individual zoning district regulations.

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(f) **Private Parties.**

(i) Private parties for up to 100 attendees, including overnight guests may be held daily at the Country Inn.

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(ii) Private parties for more than 100 attendees, including overnight guests, may be held up to 20 times per calendar year and shall require approval of a Building Permit to allow the structure to be used for such private parties and a Zoning Permit for the private parties. A Zoning permit shall be applied for at least thirty (30) days in

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advance of each private party, or at least 30 days in advance of the first private party of the calendar year if the dates of all such private parties are listed. The Zoning Permit application shall be accompanied by a copy of the approved Building Permit and proof of any necessary approvals from County agencies, such as the Health Department and the Department of Fire, Rescue & Emergency Management Fire Official.

(iii) ~~Private parties shall not be modified to increase the number of daily private party attendees or the number of private parties per calendar year.~~

(g) **Hours of Operation.** Hours of operation for private parties shall be limited to 7:00AM to 12:00 midnight.

(h) **Yard Standards.** ~~The minimum required yard setback shall be 250 feet minimum from all lot lines or 100 feet from a lot line of a property having a commercial use.~~

(i) The Country Inn use shall be setback 100 feet from all lot lines.

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(ii) Parking shall be setback 100 feet from all lot lines.

(iii) Outdoor private party areas shall be setback 200 feet from all lot lines or 100 feet from a lot line of a property having a commercial use.

~~(e)~~(i) **Accessory Use.** A maximum of 10% of the gross floor area of the Country Inn may be composed of accessory day treatment, spa facilities.

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~~(d)~~(2) **Landscaping/Buffering/Screening.**

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~~(i)~~(a) The use shall comply with the landscaping and screening standards of Section 5-653(A) to screen outdoor private party areas from adjacent properties, regardless the size of adjacent property.

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Revision Date: ~~September 2, 2013~~ May 21, 2014 at 4:30 PM
Board of Supervisors Public Hearing 5/14/2014
ZOAM 2013-0008 Draft Text

(ii)(b) ~~Parking areas shall be screened to~~ comply with the landscaping and screening standards of Section 5-653(B).

(iii)(c) ~~New Driveways~~ driveways providing access to the Country Inn shall not be located within a required buffer yard area except as minimally necessary to access the site.

~~(e)~~(3) **Parking.**

(a) **General.** Parking and loading for a Country Inn shall be provided as required by Section 5-1102.

(i) ~~_____~~

(ii) **Surface.** ~~All parking areas serving the use shall use a dust free surfacing material, as provided in the Facilities Standards Manual.~~

~~(f)~~(4) **Exterior Lighting.** All exterior lighting shall comply with the standards of Section 5-652(A)(1)-(3) (Exterior Lighting Standards). In addition to the requirements of Section 5-652, the maximum height of pole-mounted exterior lighting, outside of parking areas, shall be 12 feet.

(5) **Noise.**

(a) The maximum allowable dB(A) level of impulsive sound emitted from the use, as measured at the property line, shall not exceed 55 dB(A).

(b) No outdoor music ~~outdoor music shall be permitted between 11 pm and 10 am on Friday, Saturday and any evening preceding a holiday recognized by Loudoun County, and between 10 pm and 10 am on Sunday through Thursday 12 am (midnight) and 7 am.~~

~~(e)~~(6) **Roads/Access.**

(i) The ~~e~~C~~i~~Country ~~i~~Inn shall comply with the road access standards in Section 5-654.

(ii) There shall be no more than two points of access for guests of the ~~e~~C~~i~~Country ~~i~~Inn.

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(ii) For any Country Inn that is located on a lot which does not have frontage on a publicly maintained road, documentation shall be provided to the Zoning Administrator demonstrating that the private access easement serving such lot may be used to provide access to the establishment.

~~(8)(7)~~ A structure existing prior to January 7, 2003, located within an Historic Site District or Historic and Cultural Conservation District may be used as a Country Inn and shall be exempt from the minimum lot area, yard and floor area ratio requirements specified above, provided that any expansion or enlargement of such structure shall not exceed 15% of the total floor area existing prior to January 7, 2003 unless a greater expansion is approved by ~~minor~~ Minor special ~~Special exception~~ Exception pursuant to section 6-1300.

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